

**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA**

STATE OF WEST VIRGINIA, ex rel.,

**G. ISAAC SPONAUGLE, III,**  
West Virginia citizen and taxpayer,  
Petitioner,

v.

Civil Action Number: 18-P-442

**JAMES CONLEY JUSTICE, II,**  
Governor of the State of West Virginia,  
Respondent.

**PETITIONER'S FIRST COMBINED DISCOVERY DIRECTED TO RESPONDENT**

Pursuant to Rules 33, 34 and 36 of the West Virginia Rules of Civil Procedure, Petitioner, requests that Respondent, namely, James Conley Justice, II, answer and respond to the following discovery requests within 30 days after the service of the summons and petition upon it:

**REQUESTS FOR ADMISSION**

**ADMISSION REQUEST NO. 1:** Please admit that you have not reside at the West Virginia Governor's Mansion located at 1716 Kanawha Blvd E, Charleston, West Virginia, or any other residence located inside the municipal boundaries of Charleston, West Virginia, since January 16, 2017.

**ADMISSION REQUEST NO. 2:** Please admit that you do not plan on residing at the West Virginia Governor's Mansion located at 1716 Kanawha Blvd E, Charleston, West Virginia, or any other residence located inside the municipal boundaries of Charleston, West Virginia, during the remainder of the term of your office.

**ADMISSION REQUEST NO. 3:** Please admit that you have not kept all your records, books and papers, written or electronic, pertaining to the office of West Virginia Governor exclusively at the West Virginia Capitol 1900 Kanawha Blvd E, Charleston, West Virginia.

**ADMISSION REQUEST NO. 4:** Please admit that you do not plan on keeping all your records, books and papers, written or electronic, pertaining to the office of West Virginia Governor exclusively at the West Virginia Capitol 1900 Kanawha Blvd E, Charleston, West Virginia.

## **INTERROGATORIES**

**INTERROGATORIES REQUEST NO. 1:** Identify your full name, address, and date of birth.

**INTERROGATORIES REQUEST NO. 2:** Identify by name each person who prepared and/or contributed to answering these discovery requests.

**INTERROGATORIES REQUEST NO. 3:** Identify by name each person who you plan to call as a witness in defense of this action including their respective addresses, telephone number and the subject matter on which the witness is expected to testify.

**INTERROGATORIES REQUEST NO. 4:** Please identify the name, address and telephone number of each witness known to you to have information relevant and material to the claims presented in this action or to any defense asserted thereto.

**INTERROGATORIES REQUEST NO. 5:** Please identify each person whom you expect to call as an expert witness at the trial, produce a current curriculum vitae and disclose pursuant to West Virginia Rule of Civil Procedure 26(b)(4) the following:

- (a) The subject matter on which the expert witness is expected to testify;
- (b) The substance of the facts and opinions to which the expert is expected to testify; and,
- (c) A summary of the grounds for each opinion.

**INTERROGATORIES REQUEST NO. 6:** Identify your occupation or employment and your place of residency for the past 5 years. Please include name and address of occupation or employment and the addresses of your residency for the past 5 years in your answer.

**INTERROGATORIES REQUEST NO. 7:** Please provide in detail how many nights you spent overnight at the West Virginia Governor's Mansion located at 1716 Kanawha Blvd E, Charleston, West Virginia, since January 16, 2017, or any other residence located inside the municipal boundaries of Charleston, West Virginia. Include the dates of the overnights that you spend there in your response.

**INTERROGATORIES REQUEST NO. 8:** Please provide in detail how many nights you have allowed guests to spend overnight at the West Virginia Governor's Mansion located at 1716 Kanawha Blvd E, Charleston, West Virginia, since January 16, 2017. Include the dates of the overnights that you allowed guests to spend overnight, their respective addresses, telephone numbers and what was the occasion for their overnight stay at the Governor's Mansion.

**INTERROGATORIES REQUEST NO. 9:** Please provide in detail a list that shows an accounting of any personal property items that you have located at the West Virginia Governor's Mansion located at 1716 Kanawha Blvd E, Charleston, West Virginia and on what date you moved those items into the Mansion. For purposes of this question, personal property would include, but limited to, beds, couches, furniture, appliances, televisions, clothes, etc.

**INTERROGATORIES REQUEST NO. 10:** Describe in detail why you contend that you can reside in Greenbrier County, West Virginia, and don't have to reside in Charleston, West Virginia, regarding the official duties of your office as Governor.

**INTERROGATORIES REQUEST NO. 11:** Please provide in detail how many days you have physically spent at your office at the West Virginia Capitol located at 1900 Kanawha Blvd E, Charleston, West Virginia. Include the dates of the days spend at your office in your response.

**INTERROGATORIES REQUEST NO. 12:** Describe in detail the way you contend why you can work away from the West Virginia Capitol located at 1900 Kanawha Blvd E, Charleston, West Virginia, on a regular basis rather than being at your office located at the West Virginia Capitol regarding the official duties of your office.

**INTERROGATORIES REQUEST NO. 13:** Describe in detail the public records, books and papers, electronic or otherwise, that are located outside of the West Virginia Capitol located at 1900 Kanawha Blvd E, Charleston, West Virginia. Provide a detail list of the documents, what they concern and copies of the same within your answer.

**INTERROGATORIES REQUEST NO. 14:** Describe in detail how you can keep up with the daily functions of the Office of Governor when you are not present at the West Virginia Capitol located at 1900 Kanawha Blvd E, Charleston, West Virginia.

**INTERROGATORIES REQUEST NO. 15:** Please produce a copy of all exhibits which you intend to introduce at the trial of this case, either in Defendant's case in chief or in rebuttal.

**REQUESTS FOR PRODUCTION OF DOCUMENTS  
PLEASE PRODUCE:**

**PRODUCTION REQUEST NO. 1:** Please produce a photocopy of your 2017 and 2018 federal and state tax returns.

**PRODUCTION REQUEST NO. 2:** Please produce a photocopy of all security logs and any records that show dates and times by the West Virginia State Police or the West Virginia Capitol Police when you were present and when you spent an overnight(s) at West Virginia Governor's Mansion located at 1716 Kanawha Blvd E, Charleston, West Virginia, since January 16, 2017.

**PRODUCTION REQUEST NO. 3:** Please produce a photocopy of all security logs and any records that show dates and times by the West Virginia State Police or the West Virginia

Capitol Police when guests were present and spent an overnight(s) at West Virginia Governor's Mansion located at 1716 Kanawha Blvd E, Charleston, West Virginia, since January 16, 2017.

**PRODUCTION REQUEST NO. 4:** Please produce a photocopy of all security logs and any records of the security details provided to you by the West Virginia State Police and the West Virginia Capitol Police that show the dates and times when you were present at your office at the West Virginia Capitol located at 1900 Kanawha Blvd E, Charleston, West Virginia, since January 16, 2017.

**PRODUCTION REQUEST NO. 5:** Please produce a photocopy of all security logs and any records of the security details provided to you by the West Virginia State Police that show the dates and times when you were under their protection while in Greenbrier County, West Virginia, since January 16, 2017.

**PRODUCTION REQUEST NO. 6:** Please produce a photocopy of all security logs and any records of the security details provided to you by the West Virginia State Police that show the dates and times when you were under their protection while you were outside of the State of West Virginia since January 16, 2017.

**PRODUCTION REQUEST NO. 7:** Please produce a photocopy of an expense report of the security details provided to you by the West Virginia State Police that show the dates and times when you were under their protection since January 16, 2017 in its totality and a breakdown of the expenses of the security that is provided to you at the Mansion, Capital, Greenbrier County, traveling throughout the State of West Virginia and traveling out of the State of West Virginia.

**PRODUCTION REQUEST NO. 8:** Please produce a photocopy of an expense report of the budget, expenses paid, security detail, Mansion staff salaries, maintenance and meals for West

Virginia Governor's Mansion located at 1716 Kanawha Blvd E, Charleston, West Virginia, since January 16, 2017.

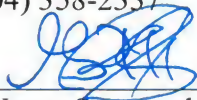
**PRODUCTION REQUEST NO. 9:** Please produce a photocopy of all public records, books and papers, electronic or otherwise, that are not located at your office at the West Virginia Capitol located at 1900 Kanawha Blvd E, Charleston, West Virginia.

**PRODUCTION REQUEST NO. 10:** Please produce a photocopy of all call logs, emails and text messages that you have made doing your official state work as Governor away from your office at the West Virginia Capitol located at 1900 Kanawha Blvd E, Charleston, West Virginia.

**PRODUCTION REQUEST NO. 11:** Please produce a photocopy of the oath or affirmation of office for Governor of the State of West Virginia.

G. Isaac Sponaugle, III  
Petitioner

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G. Isaac Sponaugle, III  
State Bar #9720  
Petitioner

#### **CERTIFICATE OF SERVICE**

I, G. Isaac Sponaugle III, Petitioner does certify that a true copy of the foregoing *Petitioner's First Combined Discovery Directed to Respondent* was served upon Respondent by depositing a true copy of same with the United States Postal Service, postage prepaid, to counsel for Respondent, Michael W. Carey and David R. Pogue, addressed to them at P.O. Box 913, Charleston, West Virginia 265323, on this 25<sup>th</sup> day of February 2019.

  
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Petitioner